

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
(Northern Division)**

KENNETH LUCERO,

*

Plaintiff,

*

v.

*

Civil Action No. 13-cv-01036-JKB

WAYNE EARLY, *et al.*,

*

Defendants.

*

* * * * *

**DEFENDANTS BALTIMORE POLICE DEPARTMENT’S MOTION TO DISMISS
AMENDED COMPLAINT**

Defendant, Baltimore Police Department (“BPD”), by its undersigned attorneys, respectfully moves this Court to dismiss Plaintiff, Kenneth Lucero’s, Amended Complaint for failure to state a claim upon which relief can be granted against the BPD. In support thereof, BPD annexes a Memorandum of Law to this motion.

WHEREFORE, Defendant BPD requests that its motion to dismiss the amended complaint be granted.

Respectfully submitted,

_____/s/_____
Michael G. Comeau (01175)
Chief Solicitor
Kara K. Lynch (29351)
Baltimore City Department of Law¹
Office of Legal Affairs
City Hall, Room 101
100 Holliday Street

¹ Solicitor Andre M. Davis, who assumed office on September 1, 2017, has recused himself from this matter and has taken no part in the discussions or preparations of this motion.

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Baltimore Police Department

I HEREBY CERTIFY that on this 13th Day of December 2017, a copy of the foregoing Motion to Dismiss and Memorandum of Law was filed with the United States District Court for the District of Maryland by electronic filing. All counsel of record were served via the Court's electronic filing system.

_____/s_____
Kara K. Lynch (29351)